

# **DRAFT**

## **RESOLUTION NO. 02-01**

### **UPDATING AND ADOPTING GUIDING PRINCIPLES FOR PREPARATION, REVIEW, UPDATE AND IMPLEMENTATION OF SPHERES OF INFLUENCE FOR LOCAL AGENCIES WITHIN MONO COUNTY**

**WHEREAS**, under the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 Code (Sections 56378 and 56425), Mono LAFCO is required to develop and determine the sphere of influence (SOI) of each local government agency within the county and to enact policies designed to promote the logical and orderly development within the sphere; and

**WHEREAS**, the Local Government Reorganization Act of 2000 requires that prior to or in conjunction with the preparation or update of a sphere of influence, LAFCO conduct a service review of the municipal services provided in the county.

**WHEREAS**, Section 56001 of the Government Code declares legislative findings for LAFCO, which include the following:

“It is the policy of the state to encourage orderly growth and development which are essential to the social, fiscal, and economic well-being of the state. The Legislature recognizes that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing such development with sometimes competing state interests of discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending service” the Legislature also recognizes that providing housing for persons and families of all incomes is an important factor in promoting orderly development. Therefore, the Legislature further finds and declares that this policy should be effected by the logical formation and modification of the boundaries of local agencies, with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible.

The Legislature recognizes that urban population densities and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The Legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities are required to

be established regarding the type and levels of services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against the total financial resources available for securing community services; and that those community service priorities are required to reflect local circumstances, conditions, and limited financial resources. The Legislature finds and declares that a single multi-purpose governmental agency is accountable for community service needs and financial resources and, therefore, may be the best mechanism for establishing community service priorities, especially in urban areas. Notwithstanding, the Legislature recognizes the critical role of many limited-purpose agencies, especially in rural communities. The Legislature also finds that, whether governmental services are proposed to be provided by a single-purpose agency, several agencies, or a multi-purpose agency, responsibility should be given to the agency or agencies that can best provide government services.

**WHEREAS**, Government Code Section 5601 specifies the commission purposes to include discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances; and

**WHEREAS**, Government Code Section 56301 specifies “one of the objectives of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies to advantageously provide for the present and future needs of each county and its communities”; and

**WHEREAS**, Section 56425(a) specifies “in order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each local governmental agency within the county and enact policies designed to promote the logical and orderly development of areas within the sphere”; and

**WHEREAS**, most Mono LAFCO SOI were adopted prior to 1990 and are due for review; and

**WHEREAS**, as an initial task in the review or update of sphere of influence studies in Mono County, Mono LAFCO is establishing commission guidance regarding spheres of influence. This guidance is intended to provide a bridge between state-mandated LAFCO goals, objectives and findings, and the local plan (sphere of influence) for achieving these goals, objectives and findings.

**NOW, THEREFORE BE IT RESOLVED** that Mono LAFCO establishes the following guiding principles and policies for preparation and implementation of SOI.

## **GUIDING PRINCIPLES**

### **Purpose**

The sphere of influence update study will:

- 1) Update the delineation of the “probable physical boundaries and service area of a local agency” (sphere of influence boundary.)
- 2) Update recommendations regarding governmental reorganizations.
- 3) Update recommendations for further study on the feasibility of certain governmental reorganizations where needed.
- 4) Update the inventory of all special districts, including their nature, location and extent of the function or class of service provided.
- 5) Include a municipal service review, as now required.

### **Factors**

The following factors, together with any additional factors deemed appropriate by the commission, shall be considered and specifically addressed with a written statement of determination in the sphere of influence study:

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
- 2) The present and probable need for public facilities and services in the area.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

### **Study Priorities**

The Mono LAFCO sphere of influence update will address nearly 30 special districts and one city, and explore potential government options for several issue areas. The following prioritizes the order in which the sphere update studies will proceed:

- 1) Fire Protection Districts/Emergency Medical Service
- 2) June Lake Special Districts
- 3) Bridgeport Special Districts
- 4) Walker - Coleville Special Districts
- 5) Benton - Hammil - Chalfant

- 6) Mono City - Lee Vining
- 7) Long Valley - Hilton Creek
- 8) Wheeler Crest - Paradise
- 9) Mammoth Lakes
- 10) Special Issues
  - a) Transit District

## **Definitions**

“Sphere of Influence” means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission.

“Sphere of Influence Boundary” means that boundary, adopted by the Local Agency Formation Commission, which establishes the limits beyond which a local governmental agency is not encouraged to expand.

“Zero Sphere” means a sphere of influence designation indicating that the subject agency should be dissolved.

“Interim Sphere” means a sphere of influence boundary that will remain in effect until such time that the agency is joined into a city or another special district capable of providing the same or broader level of services.

“Urban Service Agency” means a city or district providing or capable of providing sewer, water, or any other service that would likely induce urban growth.

“Planning Concern Area” means a boundary extending beyond an urban service agency’s sphere of influence that denotes an area in which planning and land use decisions affect the agency.

“Urban Service Area” means an area within a city’s sphere of influence, which is served or planned to be served during the next five years by urban facilities and services. The urban service area is delineated by a boundary that is developed in cooperation with the city and adopted by LAFCO.

## **General Objectives**

Mono LAFCO’s actions in establishing and updating spheres of influence are directed toward the achievement of the following objectives:

- a) To encourage the orderly growth of community areas.

- b) To promote cooperative planning efforts among Mono County, the Town of Mammoth Lakes, Special Districts, and other federal, state, and local agencies affecting growth, development, and service provision within Mono County.
- c) To provide direction for the development of a local government structure that is orderly, concise, representative, and capable of efficient and economical service provision.
- d) To assist special districts and other agencies in planning for the logical and economic extension and expansion of service facilities.
- e) To inventory services provided by special districts and other agencies within Mono County and conduct municipal service reviews in accordance with Government Code Section 56430.
- f) To recognize that the utilization of local resources for the needs of local agencies within Mono County has priority over the exportation of such resources for use by local agencies outside Mono County.
- g) To enhance community identity and cohesiveness through agency formation and alterations that ultimately centralize local service provision under the auspices of a minimal number of service providers.
- h) To assist property owners to plan comprehensively use of their land.
- i) To promote the preservation of prime agricultural and open-space areas.

## **Sphere of Influence Policies**

### **General**

- 1) All proposals for any change of organization or reorganization shall conform to the adopted spheres of influence. Proposals not conforming to the adopted SOI shall not be considered until an appropriate revision of the SOI has been completed.
- 2) Agencies for which a sphere of influence greater than existing agency boundaries is established are encouraged to annex territory within their sphere.
- 3) Agencies for which a sphere of influence coterminous with existing agency boundaries is established should not annex any additional territory.

- 4) Agencies for which a sphere of influence smaller than existing agency boundaries is established should detach the territory not within the sphere.
- 5) Agencies assigned a “zero” sphere of influence should eventually dissolve and/or reorganize.
- 6) Agencies assigned an “interim” sphere of influence boundary should look to serving their sphere area until such time that the agency is joined into a city or another special district capable of providing the same or broader level of service.
- 7) Upon SOI adoption, the commission shall review and update the SOI as necessary, but not less than once every five years. LAFCO should review and, if necessary, update appropriate spheres of influence concurrently with community, area, regional and county General Plan updates.

### **Government Structure**

- 1) As a general concept, Mono LAFCO promotes the establishment of a single service agency as the primary service provider for a community or urbanizing area.
  - a) In an incorporated area, the city, as opposed to special district, should be the provider of urban services because of its substantially broader revenue base and responsibility to provide services and controls to citizens within its boundaries. including land use planning.
  - b) In unincorporated areas, a multi-purpose district (i.e., PUD, CSD, CSA), as opposed to a single purpose district, should be the primary service provider. Due to its greater funding abilities and capabilities to coordinate the provision of various services for a community, a multi-purpose district is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities.
- 2) Annexation to or formation of urban service districts should not precede a demonstrated need for urban services. For areas in need of an urban service district, the type of district annexed to or formed shall be consistent with local needs and circumstances, the type of developed occurring, the applicable General Plan, and LAFCO policy. The following matrix shall act as a guide in determining an appropriate district:

	Area Lacks Substantial Population, Economic Base or Desire for Self-Government	Area Constitutes a Viable Community
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Single Service Needed	Dependent Single Purpose District	Independent Single Purpose District
Multiple Services Needed	County Service Area	Public Utility District, Community Services District

3) A special district should not have territory within its sphere of influence that is presently within a city unless the district is a subsidiary of the city, or unless the city does not provide the service provided by the special district.

4) Annexations to special districts within a city's sphere of influence shall be discouraged if the city can provide the desired service.

5) Agencies that no longer provide service and do not intend to do so in the future should be dissolved.

6) Areas in need of services that can be provided by an existing urban service agency should annex to and/or seek services from that agency rather than attempt to form a new agency.

7) Local service agencies, as opposed to out-of-county service agencies, should be the primary provider of services to a locality. Non-federal lands within Mono County should look to a local service agency for future service provision.

8) The use of local resources by local agencies to meet service needs within Mono County shall have priority over the export of local resources for out-of-county needs. LAFCO shall support local agency efforts to acquire necessary resources for the provision of adequate service to Mono County communities.

9) Special districts within a city's SOI should plan for the ultimate transfer of service responsibilities to the city. The creation of subsidiary districts is discouraged unless such district will service a substantial area outside the city's SOI.

## **Boundaries**

1) Provision of urban services by an agency beyond its sphere of influence shall be discouraged, unless the service is provided by agreement with the appropriate agency responsible for serving the subject area.

2) Urban service agencies shall be discouraged from including prime agricultural lands and open-space lands unless such lands exhibit an extraordinary social and/or economic interrelationship with the remaining agency area. All lands within a city's urban service area shall be subject to annexation.

3) The sphere of influence boundaries of urban service agencies should coincide with areas planned for urban development in the appropriate city or county General Plan. Areas not planned for urban development should not be included within an urban service district's sphere of influence, unless there exists a demonstrated need for additional land for urbanization, and the applicable General Plan is deemed by the commission to inadequately address future urban land needs.

4) In addition to spheres of influence, the commission shall also establish a "Planning Concern Area" (PCA) for appropriate urban service agencies. The purpose of the PCA is to identify areas beyond an agency's sphere of influence where planning and land use decisions will likely affect the agency, and to solicit the cooperation and involvement of affected agencies in planning decisions for the area. Upon PAC establishment, LAFCO shall:

- a) Request Mono County and the Town of Mammoth Lakes to notify affected agencies of any long-range planning proposals and projects affecting their PCA;
- b) Solicit affected agencies' involvement and participation by reviewing and commenting on planning issues and proposals within their PCA.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2002, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Chair  
Mono LAFCO



ATTEST:

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